REMARKS/ARGUMENTS

The office action of May 18, 2005, has been carefully reviewed and these remarks are responsive thereto. Reconsideration and allowance of the instant application are respectfully requested. Claims 1-7 and 16-29 remain pending in this application. Claims 8-15 have been canceled without prejudice or disclaimer and new claims 30-33 have been added.

Claims 1-7, 16-29 stand rejected under 35 U.S.C. § 103(a) as being obvious over U.S. Patent No. 5,652,837 to Warchol et al. ("Warchol") in view of U.S. Patent No. 5,537,099 to Liang ("Liang"). Applicants respectfully traverse this rejection.

In order to reject a claim as obvious under § 103(a), three criteria must exist: 1) there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine the reference teachings; 2) there must be a reasonable expectation of success; and 3) the prior art reference(s) must teach or suggest all the claim limitations. *See* MPEP § 706.02 (j); *In re Vaeck*, 947 F.2d 488 (Fed. Cir. 1991).

Even assuming, without admitting, that the combination of Warchol and Liang is proper, the combination fails to teach or suggest every feature of Applicants' claim 1. Applicants' claim 1 recites, among other features, "determining whether the management command was received via a management port coupled to the communication bus; and when the management command was received via the management port, executing the management command." The Action admits that, "Warchol does not explicitly disclose determining whether the management command was received via a management port coupled to the communication bus." (Action, page 2). To overcome this deficiency, the Action relies on Liang. Liang fails to cure the deficiencies of Warchol.

The Action relies on Liang for support that, "determining if data (i.e. message, command, etc.) is received via a management port coupled to the bus" is well known in the art. Specifically, the Action states, "Liang discloses that if a DTE (Data Terminal Element) address matches those associated with a port from which it was receive[d], the message packet is authorized....it would have been obvious to a person having ordinary skill in the art to modify

the system disclosed by Warchol to include the port-comparing step taught by Liang in order to provide a level of security on the network to prevent intrusive access." (Action, page 3).

The claim 1 invention does not attempt to determine the source of the management command to determine if the command can be executed. Rather than relying on the source identification to determine if a command can be executed, the claim 1 invention determines whether the management command was *received via a management port* coupled to the communication bus and when the management command *was received via the management port*, executing the management command. Warchol only considers the source of command in determining whether to execute the command and makes no determination as to whether a command can be executed based on whether the receiving port is a management port.

The Liang system verifies an authorized message by a source address of the message packet. In particular, the Liang system extracts a source address from a message packet and compares the message packet to one or more addresses stored in a port mask. (See Liang, col. 8, lines 37-48). Liang further describes a port mask as "a unique set of DTE addresses." (Col. 4, lines 50-51). As such, Liang only considers the source of a command in determining whether to execute the command and makes no determination as to whether a command can be executed based on whether the receiving port is a management port. "The source address is then compared to one or more addresses contained in the port mask, step 607. It is then determined if [] there is a match, step 608." (Liang, col. 8, lines 40-42).

Therefore, because Liang fails to teach or suggest Applicants' claim 1 feature of, "determining whether the management command was received via a management port coupled to the communication bus; and when the management command was received via the management port, executing the management command," Applicants respectfully request withdrawal of the present rejection.

Claims 2-7, which ultimately depend from claim 1, are allowable for the same reasons as claim 1 and further in view of the advantageous features recited therein. For example, with respect to Applicants' claim 2, the combination of Warchol and Liang fails to teach or suggest Applicants' claim 2 feature of, "providing, via the communication bus, data to at least one device coupled to the communication bus in response to the step of executing the management

command." In support of this feature, the Action relies on column 8, lines 51-57 of <u>Warchol</u>. This cited portion of <u>Warchol</u> reads,

> Where the command request queue 42 has a depth of greater than one, and where more than one command request is simultaneously stored in the command request queue 42, the interrupt service routine may service those requests in one of a few ways. One method allows the interrupt service routine to service each request in sequence until the command request queue is empty.

The cited portion of <u>Warchol</u> fails to teach or suggest any step of providing, via the communication bus, data to at least one device coupled to the communication bus. The cited portion or <u>Warchol</u> merely describes how multiple command requests may be serviced in order. However, the cited portion of <u>Warchol</u> fails to teach or suggest, "providing, via the communication bus, data to at least one device coupled to the communication bus in response to the step of executing the management command," as recited, among other features, in Applicants' claim 2.

Independent claim 16 is directed to a computer including a processor; an IEEE 1394 interface, coupled to the processor, comprising at least one port wherein the IEEE 1394 interface passes management commands received from a management port of the at least one port to the processor and ignores any management command received via any port of the at least one port other than the management port; and memory, coupled to the processor, having stored thereon computer executable instructions that, when executed by the processor, cause the computer to execute at least one management command received via the management port.

As discussed with respect to claim 1, the combination of <u>Warchol</u> and <u>Liang</u> make no determination as to whether a command can be executed based on whether the receiving port is a management port. As such, <u>Warchol</u> and <u>Liang</u> do not teach or suggest a computer having at least one port wherein the IEEE 1394 interface *passes management commands received from a management port* of the at least one port to the processor and *ignores any management command received via any port of the at least one port other than the management port* and a processor causing the computer to execute at least one management command *received via the management port*. For at least these reasons, claims 16 and dependent claims 17-20 are patentably distinguishable from <u>Warchol</u> and <u>Liang</u>.

Independent claim 21 is directed to a computer-readable medium comprising computer-executable components and calls for, among other features, a management command authorization component, in communication with the bus interface component, that determines whether each of the one or more management commands is authorized based on whether each of the one or more management commands was received via a management port coupled to the communication bus. As discussed with respected to claim 1, <u>Warchol</u> and <u>Liang</u> make no determination as to whether a command can be executed based on whether the receiving port is a management port. Thus, claim 21 is patentably distinct from <u>Warchol</u> and <u>Liang</u> for at least this reason. Claims 22-29, which ultimately depend from claim 21, are patentably distinguishable from <u>Warchol</u> and <u>Liang</u> for the same reasons as claim 21 and further in view of the additional advantageous features recited therein.

New claims 30-33 are fully supported by the specification and considered allowable over the art of record similarly for the reasons provided above with respect to Applicants' independent claim 1, 16, and 21 and further in view of the additional novel and non-obvious features recited therein.

CONCLUSION

It is believed that no fee is required for this submission. If any fees are required or if an overpayment is made, the Commissioner is authorized to debit or credit our Deposit Account No. 19-0733, accordingly. All rejections having been addressed, Applicants respectfully submit that the instant application is in condition for allowance, and respectfully solicit prompt notification of the same.

Respectfully submitted,

BANNER & WITCOFF, LTD.

Dated: August 18, 2005   By: _____

John M. Fleming
Registration No. 56,536

1001 G Street, N.W.
Washington, D.C. 20001-4597
Tel: (202) 824-3000
Fax: (202) 824-3001
JMF:lls